

Borough of Matawan
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Public Notice of Pending Ordinance 24-19

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on July 2, 2024. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on August 13, 2024 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

ORDINANCE 24-19

AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MATAWAN CHAPTER 9 – PERSONNEL POLICIES

ARTICLE II – PERSONNEL POLICIES CONCERNING MEMBERS OF THE POLICE DEPARTMENT

SECTION 9-26.4 – PROMOTION TO RANK OF SERGEANT

WHEREAS, the Borough of Matawan (hereinafter referred to as the "Borough") is a public body corporate and politic in the County of Monmouth, State of New Jersey; and

WHEREAS, Chapter 9, Article II – Personnel Policies Concerning Members of the Police Department, of the Borough Municipal Code sets forth the methods for testing and promotion of the members of the Police Department; and

WHEREAS, the Governing Body has determined that changes to the Municipal Code are warranted and in the public interest pursuant to the needs of the Borough and the Police Department.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Matawan, in the County of Monmouth, State of New Jersey that the Municipal Code of the Borough of Matawan be amended and that Chapter 9, Section 26.4 read as follows:

~~Deletions are noted by strikethrough~~

Additions are indicated by **bold underline**

Language that remains unchanged is not highlighted in any way.

SECTION I

Section 9-26.4 Promotion to Rank of Sergeant.

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidates to the position of Sergeant. This subsection establishes the eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Matawan Police Department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of five years or more.
- b. The Police Chief shall announce the promotional process to members of the Department at least 30 days before the written examination is to be given. The announcement shall be posted in common areas of the Department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. Promotion Testing Procedure. The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Police Committee and Police Chief.
 1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g., State Chiefs of Police Association, International Chiefs of Police Association, etc.). To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 70% on the written examination.
 2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g., Chiefs of Police Association, International Chiefs of Police Association, etc.) by a board of three examiners, at least one of whom shall be a personnel evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To

proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of 70%.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Police Committee until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Police Committee and the Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 70% on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Police Committee and Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.
 - a. The interview with the Police Committee and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, ~~familiarity with the municipal budget process, the Police Department budget in particular,~~ **department general orders, policies and procedures, staffing allocations, Attorney General Guidelines and Directives** and knowledge of N.J.S.A. 40A:14-118. The ~~Mayor and Council~~ **Police Committee, Borough Administrator** and Police Chief shall grade each candidate on a 20 point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.
 - b. The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a 20 point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized training (e.g., FBI Academy) 0 to 3 points

Each completed course +1 point to a total of 3 points

Performance evaluations 0 to 8 points

All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

Commendations 0 to 3 points

+1 point for each commendation up to maximum of 3 points

Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.

Associate's degree 1 point

Bachelor's degree 2 points

Master's degree 3 points

PhD (JD) degree	4 points
Military experience	
Active duty or reserve duty: Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower	1 point
Any rank above Sergeant	2 points
Disciplinary actions	
Each major sustained discipline (more than 5 days)	<u>-2</u> points
Each minor sustained discipline (5 day suspension or less, including written reprimands)	<u>-1</u> point
All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record review	20% <u>10%</u>
Police Committee and Chief interview	20% <u>30%</u>

- d. The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.
- e. The candidate with the highest overall score shall be voted on by the Mayor and Council as **for promotion to the rank of** Sergeant, subject to **receipt of a** satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Sergeant title. The candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.
- f. Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A. 40A:14-129, or a resident over a non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

SECTION II

SEVERABILITY: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION III

REPEALER: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE: This ordinance shall take effect immediately upon this passage and publication in accordance with the law.